



Eric Gonzalez
District Attorney

**DISTRICT ATTORNEY
KINGS COUNTY**

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[INSERT NAME]
Assistant District Attorney

[INSERT DATE]

[INSERT D/C INFO]

Re: **[INSERT CASE NAME]**
Kings County Dkt./Ind. No. [#####]

In connection with the above-named case, the People voluntarily provide the following information regarding:

MOS NAME: JOHN PLUMITALLO

MOS TAX: 961108

in satisfaction (to the extent applicable) of their constitutional, statutory, and ethical obligations. In addition to any information provided below, disciplinary information regarding this officer may exist online at the following websites: <https://www1.nyc.gov/site/ccrb/policy/MOS-records.page>, <https://nypdonline.org/link/13>, and <https://www.50-a.org>. The People make no representation regarding the accuracy of any information contained on these websites. In addition, the People have provided all lawsuits known to the People through NYPD documents, the NYC Law Department's public website of civil suits filed against officers (<https://www1.nyc.gov/site/law/public-resources/nyc-administrative-code-7-114.page>), and orally relayed to the People by officers. Please note that additional cases may or may not exist on the following public websites: <https://pacer.uscourts.gov/>, <https://iapps.courts.state.ny.us/webcivil/FCASMain>; and <https://iapps.courts.state.ny.us/nyscef/Login>. The People reserve the right to object to the use or introduction of any or all disclosures provided below and any other potential impeachment information.

Disclosure # 1:

COMMAND DISCIPLINE-B

DATE: 7/31/2019

CONTROL NUMBER: 001

SERIAL NUMBER: 08/2021

DADS # 2020-22882

ON OR ABOUT JULY 31, 2019, MOS PLUMITALLO, WHILE ON-DUTY AND ASSIGNED TO THE 75TH PRECINCT, 110TH PRECINCT, EFFECTED THE ARREST OF AN INDIVIDUAL KNOWN TO THE DEPARTMENT WITHOUT REASONABLE CAUSE TO BELIEVE THAT HE HAD COMMITTED AN OFFENSE IN HIS PRESENCE, IN VIOLATION OF PATROL GUIDE PROVISION 208-01, PAGE 1, PARA 3(A), "LAW OF ARREST", FAILED TO PROPERLY DOCUMENT HIS DAILY ACTIVITIES IN HIS ACTIVITY LOG, IN THAT HE FAILED TO NOTE THE DETAILS OF A FORCIBLE TAKE-DOWN

AND AN ARREST., IN VIOLATION OF PATROL GUIDE PROVISION 212-08, PAGE 1, PARA 1(C), "ACTIVITY LOGS", FAILED TO PREPARE A "STOP, QUESTION AND FRISK" REPORT, IN VIOLATION OF PATROL GUIDE PROVISIONS 212-11, PAGE 10, PARA 45, "INVESTIGATIVE ENCOUNTERS: REQUESTS FOR INFORMATION, COMMON LAW RIGHT OF INQUIRY AND LEVEL 3 STOPS", IMPROPERLY CONDUCTED A FRISK OF SAID INDIVIDUAL WITHOUT A REASONABLE SUSPICION THAT THE PERSON IS ARMED AND DANGEROUS, IN VIOLATION OF PATROL GUIDE PROVISION 212-11, PAGE 10, PARA 36, "INVESTIGATIVE ENCOUNTERS: REQUESTS FOR INFORMATION, COMMON LAW RIGHT OF INQUIRY AND LEVEL 3 STOPS", AND IMPROPERLY CONDUCTED A SEARCH OF THE INTERIOR PORTIONS OF SAID INDIVIDUAL'S CLOTHING DESPITE THERE BEING NO OBJECT THAT HE COULD HAVE REASONABLY BE SUSPECTED TO BE A WEAPON DURING A FRISK, IN VIOLATION OF PATROL GUIDE PROVISION 212-11, PAGE 10, PARA 40, "INVESTIGATIVE ENCOUNTERS: REQUESTS FOR INFORMATION, COMMON LAW RIGHT OF INQUIRY AND LEVEL 3 STOPS".
DISPOSITION: SUBSTANTIATED.
ACTION TAKEN: WARNED AND ADMONISHED.
CLOSED DATE: 01/14/21

Disclosure # 2:

NYPD DISCIPLINE
DATE: 11/15/2019
CONTROL NUMBER: 001
SERIAL NUMBER: M19
IAB LOG #: 19-41057
ICMT CASE #: M19-2390
ALLEGATION: 1. COURT APPEARANCE - NON-APPEARANCE - TRAFFIC VIOLATIONS BUREAU (SUBSTANTIATED)
CLOSED DATE: 2020-02-17
ACTION TAKEN: SCHEDULE A COMMAND DISCIPLINE

Disclosure # 3:

NYPD DISCIPLINE
DATE: 2/21/2020
CONTROL NUMBER: 001
SERIAL NUMBER: M20
IAB LOG #: 20-4964
ICMT CASE #: M20-343
ALLEGATION: 1. FAIL TO PREPARE REPORT - PROPERTY CLERK INVOICE (SUBSTANTIATED)
ALLEGATION: 2. FAIL TO SAFEGUARD - NOT VOUCHERED FOUND PROPERTY - MARIJUANA (SUBSTANTIATED)
ALLEGATION: 3. FAIL TO SECURE EVIDENCE OR CRIME SCENE (SUBSTANTIATED)
ALLEGATION: 4. BODY WORN CAMERA - PREMATURE DEACTIVATION (SUBSTANTIATED) - PREMATURE BODYCAM DEACTIVATION
ALLEGATION: 5. MEMOBOOK INCOMPLETE/IMPROPER (SUBSTANTIATED)
CLOSED DATE: 2021-03-22
ACTION TAKEN: SCHEDULE B COMMAND DISCIPLINE

Disclosure # 4:

NYPD DISCIPLINE
DATE: 12/3/2020
CONTROL NUMBER: 001
SERIAL NUMBER: OG20
IAB LOG #: 20-27634
ICMT CASE #: OG20-14002
ALLEGATION: 1. OTHER DEPT RULES/PROCEDURES VIOLATION -(UNSUBSTANTIATED) - NOT WEARING PPE
CLOSED DATE: 2020-12-21

Disclosure # 5:

NYPD DISCIPLINE
CHARGES & SPECS
DATE: 2/11/2021

CONTROL NUMBER: 001

SERIAL NUMBER: 23104

DADS# 2021-23104

1. SAID MOS PLUMINTALLO, ON OR ABOUT FEBRUARY 1, 2021, WHILE OFF-DUTY AND ASSIGNED TO THE 75TH PRECINCT, ENGAGED IN CONDUCT PREJUDICIAL TO THE GOOD ORDER, EFFICIENCY, OR DISCIPLINE OF THE DEPARTMENT, IN THAT, SAID POLICE OFFICER WRONGFULLY REFUSED TO SUBMIT TO A CHEMICAL BREATH TEST TO DETERMINE HIS BLOOD ALCOHOL CONCENTRATION.

2. SAID MOS PLUMINTALLO, ON OR ABOUT FEBRUARY 1, 2021, WHILE OFF-DUTY AND ASSIGNED TO THE 75TH PRECINCT, ENGAGED IN CONDUCT PREJUDICIAL TO THE GOOD ORDER, EFFICIENCY, OR DISCIPLINE OF THE DEPARTMENT, IN THAT SAID POLICE OFFICER WRONGFULLY OPERATED A MOTOR VEHICLE WHILE HIS ABILITY WAS IMPAIRED BY THE CONSUMPTION OF ALCOHOL.

3. SAID MOS PLUMINTALLO, ON OR ABOUT FEBRUARY 1, 2021, WHILE OFF-DUTY AND ASSIGNED TO THE 75TH PRECINCT, ENGAGED IN CONDUCT PREJUDICIAL TO THE GOOD ORDER, EFFICIENCY, OR DISCIPLINE OF THE DEPARTMENT, IN THAT, SAID POLICE WAS UNFIT FOR DUTY.

4. SAID MOS PLUMINTALLO, ON OR ABOUT FEBRUARY 1, 2021, WHILE OFF-DUTY AND ASSIGNED TO THE 75TH PRECINCT, ENGAGED IN CONDUCT PREJUDICIAL TO THE GOOD ORDER, EFFICIENCY, OR DISCIPLINE OF THE DEPARTMENT, IN THAT, SAID POLICE OFFICER OPERATED HIS MOTOR VEHICLE WHILE HIS BLOOD ALCOHOL CONTENT LEVEL WAS .176% ACCORDING TO A PRELIMINARY PORTABLE BREATHALYZER TEST.

DISPOSITION: 1. GUILTY. 2. GUILTY. 3. GUILTY. 4. GUILTY. (PLEA).

ACTION TAKEN: ORDERED BREATH TESTING; COUNSELING; ONE (1) YEAR DISMISSAL PROBATION;

FORFEITURE OF THIRTY (30) PRE-TRIAL SUSPENSION DAYS; FORFEITURE OF THIRTY (30) VACATION DAYS

CLOSED DATE: 3/10/22

Disclosure # 6:

NYPD DISCIPLINE

DATE: 8/31/2021

CONTROL NUMBER: 001

SERIAL NUMBER: OG21

IAB LOG #: 21-18849

ICMT CASE #: OG21-9690

ALLEGATION: 1. BODY WORN CAMERA - FAIL TO ACTIVATE TIMELY MANNER (UNSUBSTANTIATED)

CLOSED DATE: 2021-10-11

ACTION TAKEN: NO ACTION TAKEN

Disclosure # 7:

NYPD DISCIPLINE

DATE: 2/11/2022

CONTROL NUMBER: 001

SERIAL NUMBER: OG22

IAB LOG #: 22-3127

ICMT CASE #: OG22-1409

ALLEGATION: 1. MEMOBOOK INCOMPLETE/IMPROPER -(SUBSTANTIATED)

ALLEGATION: 2. FAIL TO PREPARE REPORT - STOP QUESTION FRISK REPORT (SUBSTANTIATED)

ALLEGATION: 3. BODY WORN CAMERA - PREMATURE DEACTIVATION (SUBSTANTIATED)

CLOSED DATE: 2022-03-14

ACTION TAKEN: VERBAL INSTRUCTIONS

FOR CCRB DISCLOSURES SEE THIS OFFICER'S SEPARATELY PROVIDED CCRB DOCUMENT(S).

THE CCRB DOCUMENT(S) DISCLOSE ANY PENDING, SUBSTANTIATED, UNSUBSTANTIATED, AND OTHER MISCONDUCT NOTED ALLEGATIONS AGAINST THIS OFFICER THAT ARE KNOWN TO THE PEOPLE. THE DOCUMENTS ALSO INCLUDE, IF ANY, THE UNDERLYING CCRB DOCUMENTS IN THE PEOPLE'S POSSESSION. ALTHOUGH THE PRINT DATES ON THE CCRB DOCUMENTS MAY VARY, THE ALLEGATION HISTORY PROVIDED IS UP TO DATE THROUGH MARCH 21, 2022, AS SUCH THE DISPOSITION INFORMATION MAY NOT BE UP TO DATE.

Eric Gonzalez
District Attorney
Kings County